

FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Market Disputes Resolution Division
445 12th St., S.W.
Washington, D.C. 20554

August 12, 2019

Copies sent by E-mail

AT&T Services, Inc. and AT&T Corp.,)
)
Complainants,)
)
v.) Proceeding Number 19-222
) Bureau ID Number EB-19-MD-007
)
123.Net (d/b/a Local Exchange Carriers of)
Michigan and/or Prime Circuits))
)
Defendant.)

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Dear Counsel:

On August 7, 2019, the Market Disputes Resolution Division (MDRD) of the Enforcement Bureau issued a Notice of Formal Complaint, which established several schedule deadlines in the above-captioned proceeding. On August 9, 2019, 123.Net (LEC-MI) filed an Unopposed Motion, in which LEC-MI sought to extend several deadlines in this matter on the ground that a key member of LEC-MI's team handling this matter will be unavailable for health reasons. LEC-MI further represented that AT&T's counsel "has kindly agreed to the relief sought in this motion." For good cause shown, LEC-MI's Unopposed Motion is granted.

The schedule of this proceeding is modified as follows:

- a. LEC-MI shall file its answer by September 25, 2019.
- b. AT&T shall file its reply by October 9, 2019.
- c. The parties' joint statements are to be filed by October 18, 2019.
- d. An initial status conference is to be held on October 30, 2019,¹ beginning at 11:00 a.m.
- e. Discovery and briefing are to be completed by December 4, 2019.

All other dates and deadlines included in the Notice of Formal Complaint are unaffected.

The original schedule for this matter, set out in the August 7, 2019 Notice of Formal Complaint, anticipated final action on the Complaint within 270 days of its filing. See 47 CFR § 1.740(a). As we noted in that order, the Enforcement Bureau has discretion to pause the review period where actions outside the Commission's control (such as settlement discussions or mediation) delay Commission review of the complaint or where the Bureau determines that the issues and record are particularly complex, necessitating additional time for discovery or briefing. See 47 CFR § 1.740(b); Rule Consolidation Order, 2018 WL 3495119 *8, para. 23. In granting LEC-MI's Unopposed Motion, we note that, as a result of the requested modification of the schedule, the anticipated date for final action on the Complaint is hereby extended by 13 calendar days.

We issue this letter ruling under Sections 4(i), 4(j), and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, Sections 1.3 and 1.720-1.740 of the Commission's Rules, 47 CFR §§ 1.3, 1.720-1.740, and the authority delegated in Sections 0.111 and 0.311 of the Commission's Rules, 47 CFR §§ 0.111, 0.311.

¹ LEC-MI proposed setting the status conference for October 24, but Staff is unavailable on that date.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Adam Suppes". The signature is fluid and cursive, with a large initial "A" and "S".

Adam Suppes
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission